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Counsel for Defendants and Counterclaimants Trakloc North America, LLC  
 and Tin Plate Purchasing Corporation; Defendants David Jablow,  
 Roni Dersovitz, and Floating Assets, Ltd.

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

PACIFIC ROLLFORMING, LLC., dba )  
 TRAKLOC PACIFIC; TODD )  
 BEASLEY; CURT KINNEY; and )  
 ARCHITECTURAL METAL )  
 PRODUCTS, INC. )

Case No. 07CV1897 IEG-MDD

**JOINT MOTION TO DISMISS  
 ACTION AS TO CERTAIN  
 DEFENDANTS WITH PREJUDICE**

Plaintiff,  
 vs.

TRAKLOC NORTH AMERICA, LLC., )  
 DAVID JABLOW, SOUTHEASTERN )  
 METALS, INC., THOMAS HORST, )  
 TIN PLATE PURCHASING )  
 CORPORATION, MARC )  
 BERNSTEIN, RONI DERSOVITZ, )  
 FLOATING ASSETS, LTD., and )  
 PART 47, INC. )

Defendants.

Plaintiffs, Pacific Rollforming, LLC, Todd Beasley, Curt Kinney and  
 Architectural Metal Products, Inc. by their attorney, Frederick C. Phillips and  
 Defendants David Jablow, Roni Dersovitz, Floating Assets, Ltd., Defendants and  
 Cross Complainants Trakloc North America, LLC and Tin Plate Purchasing  
 Corporation (the “Trakloc Defendants”), by their attorney, Irena Leigh Norton,  
 hereby move the court and jointly stipulate for an order dismissing this action with  
 prejudice as to Trakloc North America, LLC, Tin Plate Purchasing Corporation,  
 David Jablow, Roni Dersovitz, Floating Assets, Ltd. and Part 47, Inc.

1 WHEREAS, on July 1, 2010, Plaintiffs filed their Fourth Amended  
2 Complaint, alleging claims for breach of contract, fraud, breach of the implied  
3 covenant of good faith and fair dealing, defamation, interference with prospective  
4 business advantage, RICO, conversion and declaratory relief, with a jury demand.  
5 (Docket No. 149).

6 WHEREAS, on July 19, 2010, Trakloc North America, LLC filed its  
7 Answer and Counterclaim for breach of contract, and declaratory relief, seeking,  
8 among other things, unpaid royalties from Pacific Rollforming, LLC. (Docket No.  
9 154).

10 WHEREAS, on July 19, 2010, Tin Plate Purchasing Corporation filed its  
11 Counterclaim against Pacific Rollforming, LLC, seeking unpaid rental payments  
12 for a piece of equipment that was leased on behalf of Pacific Rollforming, LLC.  
13 (Docket No. 156).

14 WHEREFORE, the Parties hereby stipulate and agree as follows:

15 Plaintiffs and the Trakloc Defendants have reached a settlement in this  
16 action and therefore request:

17 (1) the Fourth Amended Complaint be dismissed with prejudice as to the  
18 Trakloc North America, LLC, Tin Plate Purchasing Corporation, David Jablow,  
19 Roni Dersovitz, Floating Assets, Ltd. and Part 47, Inc.;

20 (2) the Counterclaim of Trakloc North America, LLC be dismissed with  
21 prejudice;

22 (3) the Counterclaim of Tin Plate Purchasing Corp. be dismissed with  
23 prejudice;

24 (4) the Parties hereto to bear their own attorneys' fees and costs; and

25 (5) the Court remove from its calendar and docket the summary judgment  
26 motion hearings previously set for July 11, 2011.

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1 Dated: June 14, 2011

2 By: /s/ Irena Leigh Norton  
3 Irena Leigh Norton, Esq.  
4 Counsel for Trakloc Defendants Trakloc  
5 North America, LLC., David Jablow,  
6 Tin Plate Purchasing Corporation,  
7 Roni Dersovitz and Floating Assets, Ltd.  
8 Email: [inorton@legalfunding.com](mailto:inorton@legalfunding.com)

9 PHILLIPS, HASKETT & ING WALSON

10 By: /s/ Frederick C. Phillips  
11 Frederick C. Phillips, Esq.  
12 Counsel for Plaintiff Pacific Rollforming LLC,  
13 dba Trakloc Pacific; Todd Beasley; Curt  
14 Kinney; and Architectural Metal Products, Inc.  
15 Email: [fcph@philaw.com](mailto:fcph@philaw.com)

16 **Signature Certification:**

17 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative  
18 Policies and Procedures Manual, I hereby certify that the content of this document  
19 is acceptable to Frederick C. Phillips, counsel for Plaintiffs, and that I have  
20 obtained his authorization to affix his electronic signature to this document.

21 By: /s/ Irena Leigh Norton  
22 Irena Leigh Norton, Esq.

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7 **UNITED STATES DISTRICT COURT**  
8 **SOUTHERN DISTRICT OF CALIFORNIA**

9 PACIFIC ROLLFORMING, LLC., dba )  
10 TRAKLOC PACIFIC; TODD )  
11 BEASLEY; CURT KINNEY; and )  
12 ARCHITECTURAL METAL )  
13 PRODUCTS, INC. )

14 Plaintiff,

15 vs.

16 TRAKLOC NORTH AMERICA, LLC., )  
17 DAVID JABLOW, SOUTHEASTERN )  
18 METALS, INC., THOMAS HORST, )  
19 TIN PLATE PURCHASING )  
20 CORPORATION, MARC )  
21 BERNSTEIN, RONI DERSOVITZ, )  
22 FLOATING ASSETS, LTD., and )  
23 PART 47, INC. )

24 Defendants.

Case No. 07CV1897 IEG-MDD

**[PROPOSED] ORDER TO DISMISS  
ACTION AS TO CERTAIN  
DEFENDANTS WITH PREJUDICE**

25 **GOOD CAUSE APPEARING THEREFOR from the Joint Motion To**  
26 **Dismiss Action With Prejudice (Docket No. \_\_\_\_):**

27 (1) the Fourth Amended Complaint be dismissed with prejudice as to  
28 Trakloc North America, LLC, Tin Plate Purchasing Corporation, David Jablow,  
Roni Dersovitz, Floating Assets, Ltd. and Part 47, Inc.;

(2) the Counterclaim of Trakloc North America, LLC be dismissed with  
prejudice;

(3) the Counterclaim of Tin Plate Purchasing Corp. be dismissed with  
prejudice;

1 (4) the Parties hereto to bear their own attorneys' fees and costs; and  
2 (5) the Court remove from its calendar and docket the summary judgment motion  
3 hearings previously set for July 11, 2011.

4 Dated: \_\_\_\_\_

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8 HON. IRMA E. GONZALEZ  
9 United States Federal Judge  
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